

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

762E0409

SENATE LOCAL GOVERNMENT COMMITTEE ENGROSSED NO. **SB 100** - 01/29/2001

Introduced by: Senators Hainje and Koetzle and Representatives Murschel and Hennies
(Thomas)

1 FOR AN ACT ENTITLED, An Act to update the references to the building codes.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 9-33-4.1 be amended to read as follows:

4 9-33-4.1. ~~Municipalities are hereby authorized to~~ Each municipality may adopt by ordinance
5 ~~those certain building codes known as the Uniform Codes adopted and proposed by the~~
6 ~~International Conference of Building Officials and the whole thereof, except such portions as the~~
7 ~~municipality may delete, modify, or amend, and as so deleted, modified, or amended it shall be~~
8 ~~filed in the office of the city auditor, city finance officer, or town clerk. Additional deletions,~~
9 ~~modifications, and amendments may, from time to time, be made by the governing body, and~~
10 ~~shall be effective upon their adoption and filing with the city auditor, city finance officer, or town~~
11 ~~clerk pursuant to § 11-10-5.~~

12 Section 2. That subdivision (17) of § 7-8-20 be amended to read as follows:

13 (17) To enact by ordinance, for any portion of the county which is zoned, ~~the 1997 Edition~~
14 ~~of the Uniform Building Code as published by the International Conference of~~

1 ~~Building Officials and to amend, modify, or delete any portion of the Uniform~~
2 ~~Building Code before enacting such an ordinance. Such ordinance may not apply to~~
3 ~~mobile or manufactured homes as defined in chapter 32-7A which are constructed in~~
4 ~~compliance with the applicable prevailing standards of the United States Department~~
5 ~~of Housing and Urban Development at the time of construction. The ordinance and~~
6 ~~any further amendments, modifications, or deletions shall be filed with the county~~
7 ~~auditor and shall become effective upon such filing~~ certain building codes pursuant to
8 § 11-10-5.

9 Section 3. That § 11-10-5 be amended to read as follows:

10 11-10-5. If the governing body of any local unit of government adopts any ordinance
11 prescribing standards for new construction, such ~~ordinances~~ ordinance shall comply with the
12 ~~1997 Edition of the Uniform~~ 2000 Edition of the International Building Code as published by the
13 ~~International Conference of Building Officials~~ Code Council, Incorporated. The governing body
14 may amend, modify, or delete any portion of the ~~Uniform~~ International Building Code before
15 enacting such an ordinance. Additional deletions, modifications, and amendments to the
16 municipal ordinance may, from time to time, be made by the governing body and are effective
17 upon their adoption and filing with the municipal finance officer. Additional deletions,
18 modifications, and amendments to the county ordinance may, from time to time, be made by the
19 governing body, and are effective upon their adoption and filing with the county auditor. The
20 ordinance may not apply to mobile or manufactured homes as defined in chapter 32-7A which
21 are constructed in compliance with the applicable prevailing standards of the United States
22 Department of Housing and Urban Development at the time of construction.